



**DOWNTOWN DENSITY BONUS PROGRAM (DDBP)  
SUBMITTAL APPLICATION**

- 1. Project Name:** [East Avenue Apartments](#)
  
- 2. Property Owner**  
  
**Name:** [East Avenue Towne Lake, LLC Attn: Maria Sanchez](#)  
  
**Address:** [340 Pemberwick Rd. Greenwich CT. 06831](#)  
  
**Phone:** [561.832.1114 Ext. 234](#)  
  
**E-mail:** [SanchezM@richmancapital.com](mailto:SanchezM@richmancapital.com)
  
- 3. Applicant/Authorized Agent**  
  
**Name:** [Rhode Partners Attn: Nikki Morgenthaler](#)  
  
**Address:** [515 Congress Av Ste 1600 Austin, TX 78701](#)  
  
**Phone:** [\(512\) 473-0923](#)  
  
**E-mail:** [nmorgenthaler@rhodepartners.com](mailto:nmorgenthaler@rhodepartners.com)
  
- 4. Anticipated Project Address:**  
  
[16 N IH-35 Service Rd Southbound](#)

**5. Site Information**

- a. Lot area: 15,602 SF
  
- b. Existing zoning (include any zoning suffixes such as "H," "CO," etc. If the property has a conditional overlay (CO), provide explanation of conditions (attach additional pages as necessary) :

CBD

- c. Existing entitlements:

- i) Current floor to area (FAR) limitation: 8.0:1

- ii) Current height limitation (in feet): None

- iii) Affected by Capitol View Corridors (CVCs) Yes/No?

Yes

No

If yes, please list specific CVC and allowable maximum height.

**6. Existing Deed Restrictions**

If any, detail existing deed restrictions on the property that impact height and/or density:

None

## 7. Proposed Project Information

- a. Total square footage - Only include the square footage that counts towards FAR; see [LDC 25-1-21\(40\), \(44\), and \(45\)](#):

234,030 SF

- b. Gross floor area devoted to the different land use categories included in the project (e.g., retail/restaurant, office, apartment, condominium, hotel):

Apartments: 234,030 SF

- c. Number or units (if project includes residential development): 226

- d. Number of rooms (if hotel or similar use): NA

- e. Number of floors: 32

- f. Height: 352 FT AGL

- g. Maximum FAR requested: 15.0:1

## 8. Gatekeeper Requirements

Provide an explanation of how this project meets the *Gatekeeper* requirements of the DDBP as described in 25-2-586. Attach additional page(s) as necessary:

[Please see attached.](#)

**9. Community Benefits**

Detail which community benefits will be used and how they will be applied (affordable housing on site, fee in lieu of, affordable housing + community benefit, etc.). Attach additional page(s) as necessary:

[Affordable housing on site for 5% of units for the 8:1 FAR allotment per Rainey Street ordinance.](#) [Affordable housing fee-in-lieu for FAR increase from 8:1 to 15:1 per Density Bonus Program.](#)

**10. Density Bonus Calculation**

Provide a calculation method of how the additional FAR is sought including site area and amount per square foot. Calculation should include all *Gatekeeper* items plus all community benefits:

Base FAR:  $8.0 \times 15,602 = 124,816$  SF

Density Bonus SF Proposed =  $(15.0 \times 15,602) - 124,816 = 109,214$  SF

**11. Relate Project to the Urban Design Guidelines for Austin**

Provide detailed explanation of how the project substantially complies with the [Urban Design Guidelines for Austin](#) (UDG) with reference to specific guidelines by completing the attached UDG spreadsheet. Attach additional page(s) as necessary.

## 12. Acknowledgements

- a. Applicant has reviewed [25-2-586 Downtown Density Bonus Program](#):

Yes  No

- b. Applicant understands that a standard restrictive covenant template will be drafted by the City of Austin to address Gatekeeper requirements in accordance with 25-2-586:

Yes  No

- c. Applicant understands that submittal of the project's signed Austin Energy Green Building Letter of Intent and accompanying scorecard is mandatory:

Yes  No

- d. Applicant has received and reviewed a copy of the [Urban Design Guidelines for Austin](#):

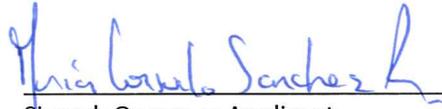
Yes  No

- e. Applicant has scheduled presentation to the Design Commission Working Group and follow-up Design Commission Meeting by coordinating dates with Design Commission Liaison ([Jorge.rousselein@austintexas.gov](mailto:Jorge.rousselein@austintexas.gov)):

Yes  No

- f. If considering in lieu fee or provision of on-site affordable housing as a public benefit, Applicant has scheduled a coordination meeting with the Neighborhood Housing and Community Development Department to detail program requirements and obtained letter of affordability from NHCD:

Yes  No



Signed: Owner or Applicant

Authorized Agent

Date submitted



**DOWNTOWN DENSITY BONUS PROGRAM (DDBP)  
APPLICANT'S SUBMITTAL CHECKLIST**

**Submitted:**

- Completed DDBP Application;
  
- Vicinity plan/aerial locating the project in its context, and showing a minimum 9 block area around the project;
  
- Location of nearby transit facilities;
  
- Drawings:
  - Site plan;
  - Floor plans;
  - Exterior elevations (all sides) with height and FAR calculations;
  - Three-dimensional views;
  
- Copy of the project's signed Austin Energy Green Building Letter of Intent and scorecard;
  
- Other items that may be submitted but not required: Narrative / graphics / photos to further describe the project; and
  
- Letter of affordability and acknowledgment from NHCD for affordable housing community benefit.

## Application for Downtown Density Bonus Program

### Project Name:

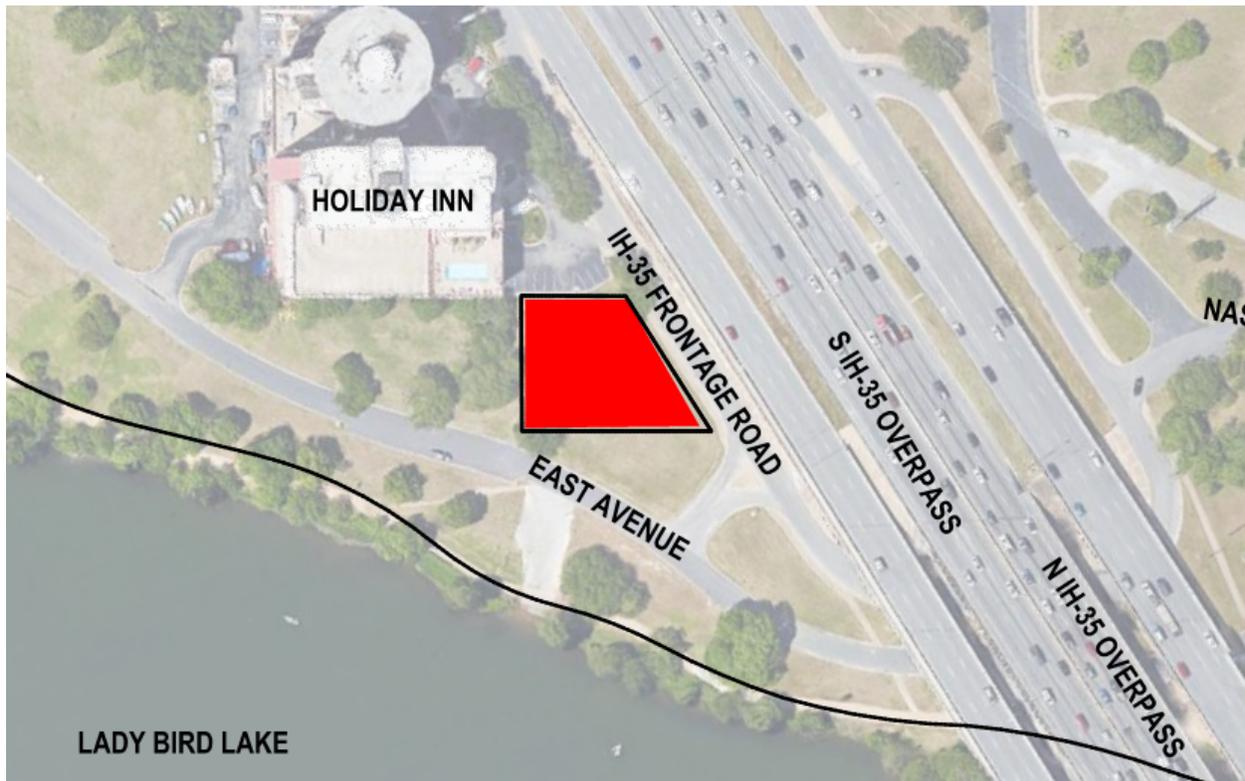
East Avenue Apartments

### Submission Date:

7/22/16

### Project Location:

The property is midblock at the intersection bound by North Interstate Highway 35, East Avenue and Festival Beach Road. *Expected address: 16 NIH-35, Austin, TX 78701*



### Applicant:

East Avenue Towne Lake LLC  
340 Pemberwick Rd.  
Greenwich, CT 06831  
Phone: 561-832-1114 ext. 234  
Contact: Maria Sanchez

### Architect:

Rhode Partners  
515 Congress, Suite 1600  
Austin, TX 78701  
Phone: 512-473-0923  
Contact: Brett Rhode, Nikki Morgenthaler

## **Project Description**

The proposed project is a 32-story high rise residential apartment building (total area = 234,000 gross sf) comprised of the following:

- Ground level at the IH-35 Frontage road with lobby and Amenity spaces.
- 8 levels of structured parking for building residents.
- 23 levels of residential living space.
- 15,602 SF Lot area.

## **25-2-586**

### **C1: Gatekeeper Requirements**

C1-A: Substantial compliance with the Urban Design Guidelines:

1. Schematic site plan and building elevations attached.

C1-B: The project site isn't adjacent to a street within the Great streets Streetscape Master Plan.

C1-C: Applicant agrees to execute a restrictive covenant committing to achieve a minimum 2 star rating under the Austin Energy Green Building program. See attached AEGB Letter of Intent.

### **C2: Bonus Area & Height**

C2-A: Site's primary entitlement:

- Zoning Area: CBD, map J21: Allowable FAR 8:1 = 124,816 SF  
*Total allowable area under current entitlements = 124,816 SF*

C2-B (Area): Amount of bonus FAR the applicant is requesting:

- Zoning Area : Applicant requests increase from existing FAR of 8:1 to bonus FAR of 15:1. Bonus area requested = 109,214 SF  
*Total bonus FAR maximum permitted = 109,214 sf*  
*Total allowable area after density bonus = 124,816 sf + 109,214 sf bonus = 234,030 sf*

C2-B (Height): Amount of bonus height the applicant is requesting:

- Zoning Area : No height limitations. No height bonus requested.

C2-C: Applicant chooses to obtain the entire bonus area exclusively by paying a development bonus fee. The ordinance defines bonus area as the greater of the following methods of calculation:

- The gross floor area that exceeds the maximum allowable floor-to-area ratio allowed with the site's primary entitlements.
  - o Total bonus area = 234,030 sf – 124,816 sf = 109,214 sf
  - o Exact fee to be determined

## **Part 2 Subsection C**

### **C: Rainey Street Subdistrict Regulations:**

2C-1: Property is located within Rainey Street Subdistrict, the development will have sidewalks not less than ten feet wide along the street frontage.

2C-2: The use will not require a drive-in service which is prohibited.

2C-3: The property is a residential use and will comply with subsection (C) (4) listed below to exceed the 40 foot maximum building height limitation.

2C-4: In order to achieve the floor-to-area ratio of 8:1, at least 5% of the square footage of dwelling units developed within the 8:1 FAR of the project will be available to house persons whose household income is 80% or below the median family income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood housing and community development office.

### **D: Proposed Design Changes**

#### **E: Community Benefits**

- Not applicable. Applicant chooses to obtain the entire bonus area exclusively by paying a development bonus fee.

#### **F: Development Bonus Fee for Mixed-Use Projects**

- Not applicable. The project is exclusively residential.

#### **G: Affordability Requirements**

- Not applicable. Applicant chooses to obtain the entire bonus area by paying a development bonus fee.

### *Attachments*

- 1: Zoning diagram showing area bonus
- 2: Site plan
- 3: Building plans and elevations with bonus area information.
- 4: 3D Views
- 5: AEGB Letter of Intent
- 6: Conditional Overlays
  - o Ordinance No 20050609-Z006
  - o Ordinance No 20050609-Z006
  - o Zoning Case C14-05-0067



477 South Rosemary Avenue, Suite 301  
West Palm Beach, FL 33401  
P.561-832-1114/F.561-832-1104

July 22, 2016

**PROJECT LETTER/SUMMARY  
FOR  
AFFORDABILITY CERTIFICATION REQUEST**

**PROJECT NAME: TOWN LAKE LOFTS**

**PROJECT OVERVIEW**

**Site Description-**

The East Avenue Towne Lake, LLC apartment complex (preliminarily referred to as "Town Lake Lofts") is proposed to be built in the Central Business District (CBD) and the Rainey Street Sub-District of the City of Austin. The development parcel is less than two hundred feet north Lady Bird Lake and a few feet north of East Avenue, which runs parallel to Lady Bird Lake. The parcel's East border is along a south bound access road of Interstate 35. The site is 0.358 acres or 15,602 SF and is considered one tract for development purposes.

**Buildings Description-**

The Town Lake Lofts Project will consist of a single high-rise building and is currently in the Schematic Design Phase. Primary design constraints and opportunities include the following:

- No height limit
- 360 degree views that include significant view corridors west along the lake and park, as well as unobstructed views above 9 stories of downtown, the state capital and the university.
- An allowable FAR of 15:1 under the Density Bonus Program of the City of Austin.

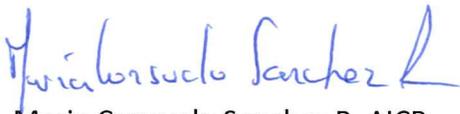
Preliminary designs indicate that the building will have a total of 32 stories. The first floor will be placed at an elevation slightly above current grade and will consist of Leasing, Administration, Clubroom/Coffee Lounge leading to an outdoor patio and a Mail/Parcel area. The first floor will also have operations facilities, which may include a trash compactor, a lift station, and meter rooms. The second through ninth floor will

mainly consist of an open parking structure that creates the primary base of the building. Floor 10 will include the majority of the project's amenity areas with a swimming pool, Outdoor lounge, and Yoga and fitness rooms. A few units will be incorporated into the design of the 10th floor. Floors 11 through 32 are private residential floors and are expected to have between 11 and 13.

Interior finishes will be top of the market and will include 42" tall upper cabinets in a laminate finish, granite or quartz countertops, stainless appliances, luxury vinyl plank flooring throughout the kitchen, livings areas and bedrooms, ceramic tile floor bathrooms, and upgraded lighting and plumbing packages.

Community amenities will feature an outdoor pool overlooking Lady Bird Lake and Downtown Austin from the 10th floor of the building. The pool area will include a sun deck, and poolside BBQ with exterior lounge. Interior amenities include professional fitness center including LifeFitness cardio and strength equipment, yoga room and a spin studio. Within the parking garage there is anticipated to be a pet salon, bike storage and resident storage.

Please do not hesitate to contact me if you have any questions or concerns. We are very excited about moving forward with this project.



Maria Consuelo Sanchez R. AICP  
Vice Presidente  
Richman Group Development Corp  
sanchezm@richmancapital.com



# AUSTIN ENERGY GREEN BUILDING Letter of Intent

This Letter of Intent demonstrates the intent of the project owner or an authorized representative to complete the necessary requirements to achieve an Austin Energy Green Building (AEGB) minimum two Star Rating for a development / project that requires this rating.

Project Name: East Avenue Apartments

Project Address: 16 N Interstate Highway 35, Austin, Texas, 78701

This Letter of Intent must be included with the Administrative Site Plan application for all projects requiring an AEGB Rating. Signing this letter demonstrates knowledge of this requirement and the process necessary to achieve an AEGB Rating. For best results, meet with an AEGB representative early in the design process. To achieve an AEGB Rating:

- I. Submit a **Project Application in the AEGB Online Rating System** prior to or within Schematic Design Phase. Sign and upload the Letter of Intent to the Documents tab. Complete "Team" tab.
- II. Submit a completed and signed **AEGB Conditional Approval** with the Building Permit application. AEGB will issue a Conditional Approval upon satisfactory review of the project's construction documents, including plans, specifications, mechanical plans, Manual J calculation (applicable for multifamily and single family projects), and the project's AEGB Rating Worksheet.
- III. Schedule AEGB inspections (separate from City of Austin inspections) of the project with the AEGB representative
  - a) After interior mechanical equipment has been installed and prior to installation of sheetrock.
  - b) At substantial completion of construction.
- IV. Submit a completed and signed **AEGB Final Approval** to receive the Certificate of Occupancy for this project. AEGB will issue a Final Approval upon substantial completion of the project and satisfactory fulfillment of the AEGB Rating.

This Letter of Intent is entered into by the parties, acting through their duly authorized representatives, effective as of the later of two signature dates entered below:

**PARTICIPANT:**

Name: Maria Consuelo Sanchez R

Signature: Maria Consuelo Sanchez R

Title: Vice President

Phone Number: 561-832-1114

Date: 7/21/2016

**AUSTIN ENERGY GREEN BUILDING:**

Name: Cassidy Ellis

Signature: Cassidy Ellis

Title: Project Coordinator

Phone Number: 512-322-6142

Date: 7/18/16

# City of Austin

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P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

September 23, 2016

### East Avenue Apartments- 16 N IH-35 (Project ID 338) Rainey Street Subdistrict and Downtown Density Bonus Program Certification Letter

TO WHOM IT MAY CONCERN:

East Avenue Towne Lake, LLC (contact: Maria Sanchez; tel: 561.832.1114 x 234; email: [sanchezm@richmancapital.com](mailto:sanchezm@richmancapital.com)) is planning to develop a **226 multi-family units** in the Rainey Street District under site plan SP-2016-0107C at 16 N IH 35, Austin TX 78701. The project is located within Rainey Street Subdistrict Regulations and Downtown Density Bonus Programs that are located in the City's Land Development Code, 25-2-739 and 25-2-586. The applicant has elected to exceed the forty foot height limit and achieve a greater floor-to-area (FAR) of 8:1. To do so the applicant must reserve at least 5% of the square footage of dwelling units developed within the 8:1 FAR to those whose household income is 80% or below the median family income in the Austin statistical metropolitan area (MFI). The applicant has indicated that the proposed total net rentable square footage is 186,148 and the net rental square footage in the 8:1 is 99,278.93. Therefore, 5% of the 99,278.93 equates to 4,964 square feet. The applicant has indicated the 4,964 square feet equates **to 7 units** for a total of 5,075 square feet, as further described in Attachment 1, Affordable Housing and Bonus Density Calculations. The following requirements must be met under the Rainey Street Subdistrict Regulations:

- In meeting the five percent requirement, mixed-use projects shall provide on-site affordable housing in proportion to the amount of floor area in the project that is devoted to residential uses.
- The affordability period for housing units shall be **forty years (40)** for rental housing and ninety-nine years for on-site for sale housing. The affordability period begins on the date a certificate of occupancy is issued.
- On-site affordable housing units offered for sale shall be reserved, sold, and transferred to an income eligible buyer subject to a resale restricted, shared equity agreement approved by the director of Neighborhood Housing and Community Development.
- An applicant may not deny a prospective tenant affordable rental housing based solely on the prospective tenant's participation in the Housing Choice Voucher Program or in any other housing voucher program that provides rental assistance.
- The bedroom count mix for the affordable units must be proportional to the overall bedroom count mix within an overall development.
- A unit is affordable for purchase or rental if, in addition to the other requirements of this section, the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit.

For compliance with the Downtown Density Bonus Program Affordable Housing Community Benefits, the applicant has elected to pay a fee-in-lieu for 100% of the desired bonus area towards affordable housing,

which the applicant has indicated will be \$546,070, as further described in Attachment 1, Affordable Housing and Bonus Density Calculations.

Prior to the issuance of the certificate of occupancy, the fee-in-lieu calculation must be finalized and paid in full to the Neighborhood Housing and Community Development Office and the applicant must enter into a Restrictive Covenant stating the affordability requirements and terms which will be filed for record at the Travis County Clerk Office.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely

A handwritten signature in blue ink that reads "Sandra Harkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sandra Harkins, Project Coordinator  
Neighborhood Housing and Community Development

Cc: Regina Copic, NHCD  
Anne Milne PZD  
Susan Kinel, NHCD

**TOWN LAKE LOFTS**

**Affordable Housing and Bonus Density Calculations**

Updated: 9/6/16

**PROJECT STATISTICS:**

|                                  |  |   |   |   |  |
|----------------------------------|--|---|---|---|--|
| Total Land Area<br>(Square Feet) | Allowable Building Size<br>@ 8:1 FAR<br>(Gross SF) | Allowable Building Size<br>@ 15:1 FAR<br>(Gross SF) | Actual Proposed Building Size<br>(Gross SF) | Actual Proposed Rentable SF<br>(Overall Building Net Rentable SF) | Building Efficiency<br>(Overall)<br>(Net to Gross) |
| 15,602                           | 124,816<br>53.33%<br>of Overall Building           | 234,030<br>100.00%<br>of Overall Building           | 234,030                                     | 186,148   | 79.54%   |

**For Portion of Building Based on 8:1 FAR:**

|   |                |
|---|----------------|
| Actual Proposed Rentable SF<br>(Overall Building Net Rentable SF) | 186,148 NRSF   |
| Percentage of Building Based on 8:1 FAR                           | 53.33%         |
| Actual Proposed Rentable SF<br>Based on 8:1 FAR                   | 99,278.93 NRSF |
| Unit Mix<br>Total Units Proposed (Overall)                        | 226 Units      |

**Affordable Housing  
Required Rentable SF  
@ 5% (Total)**  
**4,964**

SF of Unit Types based  
on Unit Mix Percentage

| <u>Overall Unit Mix</u> | <u>Units</u> | <u>Percentage</u> | <u>SF of Unit Types based on Unit Mix Percentage</u> |                   |
|-------------------------|--------------|-------------------|--|-------------------|
| Studio Units            | 40           | 17.70%            | 879.00   | Studio Units      |
| One Bedroom Units       | 122          | 53.98%            | 2,680.00   | One Bedroom Units |
| Two Bedroom Units       | 64           | 28.32%            | 1,406.00   | Two Bedroom Units |
|                         | <u>226</u>   | <u>100.00%</u>    | <u>4,964.00</u>                                      |                   |

| <u>Affordable Housing Unit Mix</u>       | <u>Unit Type</u> | <u>Unit Size (SF)</u> | <u>Unit Quantity for Affordable Mix</u> | <u>Subtotal SF Affordable per Unit Type</u> | <u>Total SF</u>  |   | <u>Net Difference</u> |
|--|------------------|-----------------------|---|---|--|---|-----------------------|
|  |                  |                       |   |   | <u>Proposed per Unit Type</u>                          | <u>Total SF Required per Unit Type</u>                      |                       |
| Studio Units                             | S3               | 485                   | 1                                       | 485   | 972  | 879   | 93                    |
|  | S4               | 487                   | 1                                       | 487   |  |   |                       |
| One Bedroom Units                        | A2               | 632                   | 1                                       | 632   | 2,714  | 2,680   | 34                    |
|  | A4               | 654                   | 2                                       | 1,308                                       |  |   |                       |
|  | A6               | 774                   | 1                                       | 774   |  |   |                       |
| Two Bedroom Units                        | B2               | 1,389                 | 1                                       | 1,389                                       | 1,389  | 1,406   | (17)                  |
|  | -                | -                     | 7.00                                    | -   | <b>5,075</b>   | <b>4,964</b>  | 111                   |
| <b>Total Affordable Units (Proposed)</b> |                  |                       |   |   | <b>Affordable Housing Proposed Rentable SF (Total)</b> | <b>Affordable Housing Required Rentable SF @ 5% (Total)</b> |                       |

**Fee In Lieu Calculation**

(For Areas Based on Difference Between 8:1 FAR and 15:1 FAR)

|   |   |  |   |
|---|---|--|---|
| Allowable Building Size<br>@ 15:1 FAR<br>(Gross SF) | Actual Proposed Building Size<br>(Gross SF) | Allowable Building Size<br>@ 8:1 FAR<br>(Gross SF) | BONUS AREA:<br>Difference in Gross<br>(From 8:1 to 15:1 FAR)<br>(Gross SF)                                  |
| 234,030 GSF   | 234,030 GSF                                 | 124,816 GSF  | 109,214 GSF   |
|   |   |  | X<br>FEE PER SF @ \$5.00/GSF<br>=<br>\$ <b>546,070.00</b> <b>Total Fee in Lieu for Bonus Area @15:1 FAR</b> |